



COMMONWEALTH of VIRGINIA

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SUBJECT: 1st Technical Advisory Committee (TAC) Meeting to Discuss the
2013 Reissuance of 9VAC25-193 General Virginia Pollutant Discharge
Elimination System (VPDES) Permit Regulation for Concrete Products Facilities
TO: TAC Members and DEQ Staff (listed below)
FROM: Elleanore Daub, VPDES DEQ Central Office
DATE: May 1, 2012

A TAC meeting was held on May 1, 2012 at DEQ Central Office. The meeting began at 1:30 PM. The TAC members attending the meeting were:

Name	Organization
Walter Beck	Vulcan Materials
Cliff Bocchicchio	Titan
Tom Foley	Vulcan Materials
David Holsinger	Precast Concrete Association of Virginia
Todd Legge	Essroc Ready Mix
Jay Lipscomb	Branscome
Fred Cunningham	DEQ - CO
Elleanore Daub	DEQ - CO
Burt Tuxford	DEQ -CO

Other DEQ Staff Participating

Janine Howard	DEQ – PRO
Carl Thomas, Steve Long	DEQ – TRO
Mark Trent	DEQ – SWRO by conf. call
Keith Showman	DEQ – VRO by conf. call
Bob Tate and Gerry Duff	DEQ – BRRO by conf. call
Alison Thompson	DEQ – NRO by conf. call

Items presented prior to the meeting for discussion were:

- Agenda Concrete Products Facilities, May 1, 2012
- Draft Regulation (with some revisions already drafted): 9VAC25-193, General VPDES Permit for Concrete Products Facilities

- NOIRA comment letters received from Chandler Concrete (dated January 25, 2012) and Precast Concrete Association of Virginia (dated 2/15/2012)

Discussion

- Items that are being incorporated into all general permits as they are reissued including (per EPA requirement) two new reasons that must be considered before authorization to discharge is granted were discussed. These include the discharge must meet the antidegradation policy and the discharge must be consistent with the assumptions and requirements of an approved total maximum daily load (TMDL). A TMDL is a published and approved waste load allocation calculated for all point and nonpoint sources for impaired waters that when implemented, will restore the water body and remove the impairment. The TAC wanted clarification on the TMDL requirement and what that meant for their ability to get coverage under the general permit. Staff explained that the current assumption in TMDLs is that any loads to impaired waters from discharges covered under general permits are either considered 'insignificant' to the waste load allocation or have been included in the load allocations 'growth factor.' Either way, the loads from general permits are tracked by DEQ staff and when or if the load either becomes significant or exceeds what is allowed by the growth factor, then DEQ staff must revise the TMDL. Normally, that means the permit limit concentrations and the flow from each facility are used to adjust the waste load allocations in the TMDL. This means that a TMDL in your receiving stream does not usually keep you from getting coverage. However, staff acknowledged that these waste load allocations are site specific (or basin specific) and there is a chance that something additional will be needed (e.g. a benchmark storm water concentration target) and it is possible that would require an individual permit.
- Staff did not anticipate antidegradation policy problems from existing discharges in the concrete industry, although staff in the regions should be aware of new discharges to Tier 2 waters and consult with central office to see if the new discharge conforms to antidegradation requirements.
- The TAC agreed that the definition of vehicle and equipment maintenance should be made clear so that the total petroleum hydrocarbon limit is properly applied. This is an expensive test and the industry has shown TPH concentrations are low in the effluent (staff concurred with more recent data). It was agreed that truck wash to rinse off product (process water to the settling basins) is not vehicle and equipment maintenance. Vehicle and equipment maintenance are activities that would release petroleum hydrocarbons to the process water. This is steam cleaning engines, undercarriage cleaning and possibly detergent washing. It was noted that steam cleaning or engine work that might release TPHs is usually conducted in a location that does not discharge and may go through an oil/water separator. The non-metallic mineral mining general permit (NMMM) definition of vehicle/equipment wash was thought useful for this permit with perhaps some adjustments:

From 9VAC25-190-10 - Vehicle/equipment washing means the washing with detergent or steam cleaning of engines and other drive components in which the purpose is to clean and degrease the equipment for maintenance and other purposes. The application of water without detergent to a vehicle exterior for the purpose of removing sediment is excluded.

The adjustments staff was asked to consider was the phrase 'and other purposes' in the definition because this could expand the definition and it would still be unclear. Also, staff was asked to look into whether TPH limit was needed for storm water. Spills are cleaned up immediately; thereby removing any TPH contamination on the site. Also, the TPH limit was removed from NMMM storm water limits. Staff was asked to consider whether detergent washing constituted an activity needing a TPH limit.

There are really two questions - what constitutes vehicle and equipment maintenance and do we need TPH monitoring? If we decide it is not needed, staff has to make sure backsliding is not a concern.

DEQ staff has had problems in the past with the data base properly issuing a corrected DMR when TPH is removed from the limits tables. We need to work on that part of the data base module for the next reissuance.

- The TAC was supportive of a continuation of permit coverage allowance. Some discussion about how this section (section 50) would work with late registration statement allowance (section 60). Staff will work with enforcement staff to ensure these sections are clear. For example, be clear about what date makes a registration statement 'late.' We also might want to consider saying the board 'may' grant continuation rather than an automatic authorization to continue if the registration statement is submitted by the expiration date. The basic premise of these sections are that the department does want the registration statements ahead of time (60 days was determined to be sufficient), but we also want the staff to have the ability to continue permit coverage up until the expiration of the permit in case DEQ is late in reissuing the permits. Getting registration statements from the industry on time is not really a problem but sometimes getting a totally technically complete registration statement is problematic.
- The statement about the use of chlorine and other halogen compounds for disinfection either needs to come out or be moved to the non-contact cooling water section (later discussion on the need for NCCW limits discussed below).
- Registration statement discussion - A definition of MS4 may be needed (see Industrial Storm Water General Permit). Currently, the registration statement asks for latitude/longitude but it is not specifically in the regulation and should be added. The request for facility contact information was determined to be unnecessary as there is enough information for contacts already. The questions about geothermal units and chemical additives (#s10 and 11) may not be necessary if the NCCW limits (discussed below) are taken out. There is probably not a need for a list of other chemicals (admixtures) as they are listed in the storm water pollution prevention plan. Also, admixtures added to the concrete to improve the product are inert

once incorporated into the product. The admixtures do not end up in the effluent. Staff asked if we are concerned about the use of detergents (phosphate based and for toxicity reasons). Industry thought not since the process water goes through the treatment system. The usefulness of the topographic maps was discussed. They are useful for general location information (nearby streams, springs, and neighboring properties). The latitude/longitude along with 911 address should be sufficient to locate the facility. Eventually, the group decided that perhaps the SWPPP site plan from Part II G 4 b 1 might suffice in lieu of the topographic map.

- New section 9VAC193-15 (Applicability of incorporated references based on the dates that they became effective) was added at the recommendation of DEQ policy staff so 40 CFR references within the entire regulation do not need to be dated at each citation in the document as this section defines the date of publication. The last date in the paragraph needs to be changed to match the permit effective date.
- The usefulness of Part I A 2 (non-contact cooling water limits page) was discussed. The industry recommends its removal because this technology (geothermal units that were used to cool the product) is not in use widely (if at all) and therefore separate limits for non-contact cooling water are unnecessary. A DMR data query indicated no chlorine was reported which is one way to verify that these systems (if using chlorine) are not in service. Part I A 1 could cover this type of discharge if it was commingled with the process water. The registration statement may still need to ask if the facility has non-contact cooling water to find out if it is in use (and any additives used) in order to determine if chlorine or temperature need to be included as limits.
- Define or put in guidance the definition of 'treated' per Part B 4 and 5. Suggestions were made to refer to meeting the limits in Part IA as a substitute for 'treated.' However treated for dust suppression use (Part B 14) is only TSS settling and that 'settling' could be substituted for 'treated' in that special condition.
- We still need to think about inactive sites, monitoring frequencies (suggestion to make everything quarterly and if there are compliance issues, go to monthly), reduced monitoring particularly when there is no discharge for months and months, the necessity for an iron limit and updating the storm water language.
- The next meeting is on May 24, 2012 (NOTE: THIS MEETING WAS POSTPONED UNTIL JUNE 7 2012) and the TAC requested the meeting be held at the Glen Allen regional office and start earlier and last longer.

Thanks to all the TAC members for their continued service.